

lished by mutual consent in said county, shall be made and repaired by the parties respectively owning or occupying the fields, at their joint and equal expense.

P. L. L., (1880,) art. 19, sec. 51.

**106.** Upon failure of a party to make or repair and keep in good order his portion of such fence, or to pay his equal share of the cost thereof, he shall be answerable therefor in an action of debt before a justice of the peace.

Ibid. sec. 52.

**107.** The person desiring such partition fence to be repaired shall give at least thirty days' notice to the owner of the adjoining land and joint owner of the fence, of such repair being necessary, and of his intention to proceed to make the same, and if the said joint owner shall not, before the expiration of the thirty days, repair the same, he may repair and construct the same out of the usual materials and in the ordinary way; and the joint owner shall be liable for all the expenses thereof, to be recovered as prescribed in the preceding section.

1878, ch. 256. 1878, ch. 445. 1884, ch. 144. 1886, ch. 268. 1886, ch. 418.

**108.** All fields and other grounds kept for enclosure in St. Peter's district, Mount Vernon district and Tangier district, shall be fenced with post and rail, or plank, or with a worm fence made of good and substantial rails, at least four feet high from the ground to the top of the highest rail, and the first or under rail, in post and rail, or plank, or worm fences, shall not exceed in distance five inches from the ground or embankment upon which the same may be built; and the width between the rails or planks of which the fence may be built shall be such as is usual in the construction of fences of this kind; and all brush fences made upon the surface of the ground shall be at least four feet high, and all brush fences made upon an embankment of earth thrown up upon the ground shall be at least three feet high; the embankment, nevertheless, shall be eighteen inches high; and if any live stock of any kind or description whatever shall break into any person's enclosure, the enclosure of which shall be fences of the above description and proportions, then the